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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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EXAMINER

PARK, EDWARD

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ADVISORY ACTION ATTACHMENT TO PAPER NO. 20090109

Response to Arguments

In response to applicant's amendment and remarks of claims 4 and 9 (as seen in pg. 6, first paragraph - pg. 7, third paragraph), the previous rejection under 35 U.S.C. 112, second paragraph is withdrawn.

Applicant's arguments filed on 1/5/09, with respect to **claims 1, 8**, have been fully considered but they are not persuasive. Applicant argues that the Lys reference does not disclose analyzing the received video signal to determine optical properties of an image to be formed by the video signal (see pg. 9, first second paragraph). This argument is not considered persuasive since Lys reference discloses the limitation as seen in fig. 85, col. 47, lines 60- col. 49, line 64, where a microprocessor processes certain portion of the bandwidth of television signal for signals relating to the room lights, thus a television signal may instruct the room lights to dim at certain points during the presentation, to strobe to different colors at other point, and to flash at other point. It can be seen that optical properties of an image is a broad term that can be reasonably be interpreted as lighting controls associated with the image. This can be further be seen in Lys, col. 47, lines 60 - col. 49, 64, where illumination control may be associated with an entertainment signal, so that the illumination produced by the illumination sources 501 can be matched to the entertainment signal played on the entertainment device, room lights may be synchronized and controlled to create different conditions simultaneously with even that occur in programs that are being displayed on a television. The cited passage explains that the lighting control is associated with an entertainment signal which comprises images that are synchronized

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so that different images being displayed control the room lighting. Applicant further argues that room lighting is not optical properties of an image (see pg. 9, second paragraph - last paragraph), but rather hue, saturation, brightness, color, etc as shown in the specification on pg. 4, line 20 to pg. 5, line 3. This argument is not considered persuasive since the claim language as cited does not mention hue, saturation, brightness, color, etc. as seen in claims 1 and 8. The examiner is allowed to reasonable interpret the term optical properties of an image and has done so in the previous office action as lighting controls associated with an image, which is equivalent to a property of an image in the visual domain. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., optical properties of an image to be formed by the video signal include hue, saturation, brightness, color, etc.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Applicant argues that the optical properties of an image to be formed by the video signal may be determined by analyzing the formed image, these optical properties may also be determined by analyzing specific parameters of the video signal which would cause a resulting image to have such optical properties (see pg. 10, first paragraph). This argument is not considered persuasive since the claim limitations of claims 1 and 8 do not recite these limitations/interpretations within the claim language. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., optical properties of an image to be formed by the video signal may be determined by analyzing the formed image, these optical properties may also be determined by analyzing specific

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parameters of the video signal which would cause a resulting image to have such optical properties) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant argues that Lys does not disclose setting a property of ambient light generated based upon the determined optical properties of an image to be formed by the video signal, due to the same argument as cited above (see pg. 10, second paragraph). This argument is not considered persuasive since the ambient light is set based upon optical properties of an image to be formed by the video signal as explained above in the argument section.

Applicant argues that Ludwig does not disclose the analyzing the received video signal to determine optical properties of an image to be formed by the video signal and setting a property of ambient light generated by the at least one ambient light source based upon the determined optical properties (see pg. 10, last paragraph). This argument is not considered persuasive since the primary reference, Lys et al, discloses the cited limitations as seen above in the argument section and also cited in the rejection section of the final office action dated on 11/5/08.